

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Chambers of
James P. Donohue
United States Magistrate Judge

700 Stewart Street
U.S. Courthouse
Seattle, WA 98101
(206) 370-8940

[SECOND AMENDED COVER LETTER]

September 20, 2005

Mr. Kenneth Jensen
No. 841533
Washington State Penitentiary
1313 North 13th Avenue
Walla Walla, Washington 99362

Mr. Paul Douglas Weisser
Attorney General's Office
Criminal Justice Division
P.O. Box 40116
Olympia, Washington 98504-0116

Re: Kenneth Jensen v. Richard Morgan
No. C05-0807-TSZ-JPD

Dear Mr. Jensen and Mr. Weisser:

Enclosed is a copy of my Report and Recommendation, proposed order, and proposed judgment in the above-captioned case. The originals have been filed electronically with the Clerk. This Report and Recommendation is not an appealable order. Any notice of appeal should not be filed until the District Judge enters judgment in this case.

Objections to the recommendation should be filed *with the Clerk* (not mailed directly to Judge's chambers) and served on opposing parties within **twenty-one (21)** days of the date of this letter. Failure to file objections within the specified time waives the right to appeal any order by the District Court adopting this report and recommendation. In accordance with our local rules, you should note your objections for consideration on the Judge's motion calendar for the third Friday after they are filed. If no timely objections are filed, the matter will be ready for consideration by the District Judge on **October 14, 2005.**

Thank you for your cooperation.

Very truly yours,



JAMES P. DONOHUE
United States Magistrate Judge

JPD/bf
Encls.

cc: The Hon. Thomas S. Zilly